

DOCKET NO.: CELG-0422  
Application No.: 10/820,397

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
**Jerome B. Zeldis, et al.**

Confirmation No.: **8455**

Application No.: **10/820,397**

Group Art Unit: **1612**

Filing Date: **April 8, 2004**

Examiner: **Darryl C. Sutton**

For: **Methods For Treatment Of Cognitive And Menopausal Disorders with D-threo  
Methylphenidate**

**electronically filed**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION TO EXPUNGE INFORMATION OR COPY OF PAPERS IN  
APPLICATION FILE PURSUANT TO 37 C.F.R. 1.59(b)**

☒ **Remarks** begin on page 2 of this paper.

### REMARKS

The assignee of the present application ("the Assignee") hereby requests that the information submitted as items 1-10 in the Information Disclosure Statement filed February 13, 2008 and the non-redacted version of item 504 filed November 6, 2006 be expunged from the application file. This information was related to litigation involving U.S. Patent No. 5,908,850. This information contains trade secret material, proprietary material, and/or is subject to a protective order. This information has not been otherwise made public.

The Assignee notes that a petition to expunge this information, along with the required fee, accompanied the submission of the information on February 13, 2008, in accordance with MPEP 724.05. In its decision dated February 22, 2008, the Office dismissed the petition to expunge because the IDS had not been reviewed. The Office further noted that the petition could be resubmitted subsequent to an action being mailed in the application that closed prosecution. The Office identified that no additional petition fee would be required upon resubmission.

A Notice of Abandonment was mailed on July 7, 2009, thus closing prosecution. The Assignee respectfully requests that the sealed envelope be expunged from the application file and returned to the Assignee's representative, whose contact information appears below.

Date: October 4, 2010

/Stephanie A. Barbosa/

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